

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 05.11.2020

CORAM

THE HON'BLE MR.JUSTICE R. SURESH KUMAR

W.P.No.29931 of 2019

United Labour Federation
Regd.No.2657/CNI, rep.by its

Branch Secretary, P.Alagusamy

.. Petitioner

-Vs-

1.The Joint Director of Industrial Safety & Health
H-27, Sriperumbudur, Kancheepuram District
- 602 105.

2. The Director, Industrial Safety and Health
Royapettah, Chennai 600 014.

3.The Secretary
Labour and Employment Department
Secretariat, Fort St.George, Chennai 600 009.

4.The Management of Sharda Motor Industries
Limited, Rep.by its President K.K.Sharma
G-20, SIPCOT Industrial Park, Irunkattukottai
Sriperumandur Taluk, Kancheepuram District.

.... Respondents

Prayer : Writ Petition under Article 226 of the Constitution of India praying for the issue of a Writ of Mandamus directing the Joint Director Industrial Safety and Health, the 1st respondent, to inspect the 4th respondent / Management Saratha Motor Industries Limited at G-20, Sipcot Industrial Park, Irunkattukottai, Sriperumandur Taluk, Kancheepuram District as to the employment of contract labourers and for violation of several provisions of Factories Act, in the presence of the Office bearers of the petitioner Union and take such further action as per the Factories Act.

For Petitioner : Mr.K.V.Ananthakrishnan

For Respondents : M/s.Gupta & Ravi

O R D E R

The prayer sought for in this writ petition is to direct the Joint Director Industrial Safety and Health, the 1st

respondent, to inspect the 4th respondent / Management Saratha Motor Industries Limited at G-20, Sipcot Industrial Park, Irunkattukottai, Sriperumandur Taluk, Kancheepuram District as to the employment of contract labourers and for violation of several provisions of Factories Act, in the presence of the Office bearers of the petitioner Union and take such further action as per the Factories Act.

2. When the case is taken up for hearing, the learned counsel appearing for both sides made submissions stating that the issue raised in this writ petition has been settled between the parties and in this regard, a joint memo having been prepared was signed by both the parties as well as the learned counsel for the parties on 23.09.2020 and the same has been filed before this Court. Therefore, the learned counsel wanted this Court to dispose of the writ petition in terms of the joint memo filed by them.

3. In the joint memo dated 23.09.2020, both the parties have agreed for the following terms.

" TERMS OF SETTLEMENT

- (a) The Union agrees that due to the pending issue regarding the non-employment of dismissed employees being unresolved, they filed a petition dated 08.07.2019 before the Inspector of Factories only with a view to put pressure on the management to settle the pending cases.
- (b) The Union agrees that the issue of non-employment of the dismissed employees has been amicably settled between the management and the concerned workmen. Consequently, the Union does not intend to pursue W.P.No.29931 of 2019 any further.
- (c) The Union agrees to file a copy of this settlement in Court and seek Court's permission to withdraw W.P.No.29931 of 2019, as the issues raised therein no longer survive for adjudication and inform the management about the same."

4. In view of the same, since the parties have settled the matter as per the terms of the settlement quoted above, this Court is inclined to dispose of this writ petition as settled as per the joint memo dated 23.09.2020. Accordingly, the writ petition is disposed of. No costs.

Sd/-

Assistant Registrar(CS-II)

//True Copy//

Sub Assistant Registrar

KST

To

1.The Joint Director of Industrial Safety & Health,
H-27, Sriperumbudur,
Kancheepuram District - 602 105.

2.The Director, Industrial Safety and Health,
Royapettah, Chennai 600 014.

3.The Secretary, Labour and Employment Department,
Secretariat, Fort St.George,
Chennai 600 009.

+1cc to M/s.Gupta and Ravi, Advocate SR.36003

W.P.No.29931 of 2019

SPD(CO)
CB(10/12/2020)



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